

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF WISCONSIN**

In re Subpoena to MARY FANNING

Case No. 2:23-mc-00051-BHL

SMARTMATIC USA CORP., SMARTMATIC
HOLDING B.V., and SGO CORP., LIMITED,

Plaintiffs,

vs.

Case No. 22-cv-00098-JMB-
JFD

MICHAEL J. LINDELL and MY PILLOW,
INC.,

Defendants.

**DECLARATION OF JULIE M. LOFTUS IN SUPPORT OF SMARTMATIC'S
MEMORANDUM IN OPPOSITION TO EXPEDITED NON-DISPOSITIVE MOTION**

I, Julie M. Loftus, pursuant to 28 U.S.C. § 1746, hereby declare as follows:

1. I am over the age of 18, I am competent to make this declaration, and I have personal knowledge of the facts stated herein. These facts are true to the best of my knowledge, information, and belief, and if called upon to testify as a witness, I could and would testify competently.

2. I am an attorney at the law firm Benesch, Friedlander, Coplan & Aronoff, LLP, and I represent Smartmatic USA Corp., Smartmatic International Holding, B.V., and SGO Corporation Limited ("Smartmatic") in the above-captioned dispute.

3. On April 25, 2024, I contacted counsel for Ms. Fanning, Mr. Bill Mohrman, to schedule Ms. Fanning's deposition. On May 1, 2024, Mr. Mohrman and I spoke on the phone and confirmed Smartmatic and Ms. Fanning's availability for a May 30, 2024 deposition date. On May

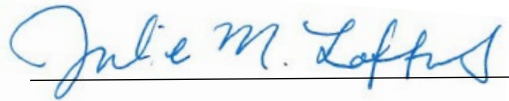
6, 2024, I conferred with counsel for Michael J. Lindell and My Pillow, Inc. (the “Lindell Defendants”) and confirmed that the Lindell Defendants were available for a May 30 deposition. That same day, I confirmed the May 30 date to Mr. Mohrman.

4. Attached as **Exhibit 1** to this Declaration is a true and correct copy of an email exchange between myself and counsel for Michael J. Lindell and My Pillow, Inc. (“MyPillow,” and, together with Mr. Lindell, the “Lindell Defendants”), Mr. Chris Kachouroff, dated May 10, 2024.

5. Attached as **Exhibit 2** to this Declaration is a true and correct copy of an email exchange between myself and Mr. Kachouroff dated May 22, 2024.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

Executed on May 24, 2024

A handwritten signature in blue ink, reading "Julie M. Loftus", is written over a horizontal line.